

THE FIFTEENTH REGULAR MEETING OF THE THIRTY-FIFTH COUNCIL OF THE CITY OF BERKLEY, MICHIGAN WAS CALLED TO ORDER AT 7:00 PM ON MONDAY, AUGUST 18, 2014 BY MAYOR O'DWYER

PRESENT: Steve Baker
Jack Blanchard
Tina Edgar
Alan Kideck
Phil O'Dwyer
Eileen Steadman
Daniel Terbrack

APPROVAL OF AGENDA

Councilmember Kideckel moved to approve the Agenda.

Seconded by Councilmember Blanchard.

Ayes: Blanchard, Edgar, Kideckel, Steadman, Terbrack, Baker, and O'Dwyer

Nays: None

Motion Approved.

CITIZENS COMMENTS

The following are Berkley residents expressed their concerns regarding the August 11th flooding events:

Ann Cain at 865 Cambridge

Delynn Meyer at 2168 Mortenson

Gregory Stevens at 3294 Royal

Arica Sheff at 2417 Mortenson

Eugene Dixon at 1964 Rosemont

Georgia Dixon at 1964 Rosemont

Marilyn Sullivan at 996 Columbia

Steven Burns at 2328 Mortenson

City Manager Jane Bais-DiSessa gave a summary the City Council of the August 11th flooding events. The City of Berkley's combined sewer and water system was affected by the six inches of rain water within a short period of time. There were municipal buildings requiring immediate facility repairs including the City Hall, Ice Arena, and Public Safety. The Berkley Public Safety Department offered dispatch assistance to the City of Oak Park because their dispatch center was impacted by the flood.

On Friday, August 15th, Oakland County provided the City of Berkley with information to declare a state of emergency. The city has to complete a damage survey by 3 p.m. on Tuesday, August 19th and they have begun the disaster recovery process; flood updates were made available on the city website. At this time, there are no forms or information from the Federal Emergency Management Agency (FEMA) for the residents. Residents may submit a claim form to the City of Berkley for insurance purposes; the forms are available on the city website at www.berkleymich.org and pick up copies at the City Hall.

The DPW has been assisting with trash pickup this week and the city is working with a private contractor to request for additional trucks. The trash transfer stations in Troy and Madison Heights were accepting trash on Saturdays and Sundays until 2 p.m. Tringali Waste Management is working overtime and trash pickup will be delayed.

Oakland County and the State of Michigan are hosting meetings with flood information; today in Troy and another on Aug 20-21, 2014 from 11 a.m. through 7 p.m. in Southfield. Residents can meet with representatives from Oakland County Health Division, Homeland Security, Red Cross, Michigan State Police, and the Salvation Army.

Flood event updates are posted on the city website at www.berkleymich.org, the mobile app, Facebook, and the cable stations; Wide Open West (WOW) is channel 10 and Comcast is channel 53. Residents are encouraged to subscribe to the city E-newsletter and may contact the Communications Department at (248) 658-3330 by selecting option 2.

Mayor Phil O'Dwyer recognized the Public Safety Officers and Public Works employees who made the residents of Berkley a priority although their homes were affected by the flood. City of Berkley has been in constant contact with the Governor's Office and the Oakland County Executive's Office. Oakland County disaster preparedness plan is available and by declaring a state of emergency, City of Berkley can receive any relief are available to the communities. The city website must continue to have updates and an effective communication with the residents improves information flow. There is an estimate of \$46,000 spent for community cleanup for Tuesday, August 12th through Thursday, August 14th. Mayor O'Dwyer thanked the residents who called, emailed and sent cards showing their appreciation to the city staff.

CONSENT AGENDA

Councilmember Steadman moved to approve the following Consent Agenda, seconded by Councilmember Blanchard:

APPROVAL OF MINUTES: Matter of approving the minutes of the regular 35th City Council meeting on Monday, July 21, 2014.

APPROVAL OF THE WARRANT: Matter of approving Warrant No. 1281.

Ayes: Edgar, Kideckel, Steadman, Terbrack, Baker, Blanchard, and O'Dwyer
Nays: None
Motion Approved.

Regular Agenda

RECOGNITIONS/PRESENTATIONS

MOTION NO. M-58-14: Matter of approving Special Use Approval (SU-02-14), granting Coco Fairfields, 2959 Twelve Mile, approval for a sidewalk café from August 19, 2014 to October 31, 2015.

Moved by Councilmember Edgar to approve Motion No. M-58-14.

Seconded by Mayor Pro Tem Terbrack.

Ayes: Steadman, Terbrack, Baker, Blanchard, Edgar, and O'Dwyer

Abstain: Kideckel

Nays: None

Motion Approved.

Councilmember Kideckel requested to abstain because Coco Fairfield's is one of his clients.

City Planner Amy Vansen gave a brief summary to the City Council including Planning Commission recommendation.

MOTION NO. M-59-14: Matter of amending the City's Fee Schedule effective October 1, 2014, outlined on attachments.

Moved by Councilmember Kideckel to approve Motion N. M-59-14.

Seconded by Councilmember Edgar.

Ayes: Kideckel, Terbrack, Baker, Blanchard, Edgar, Steadman, and O'Dwyer

Nays: None

Motion Approved.

City Planner Amy Vansen gave a brief summary to the City Council including new construction, heating permits, and special use.

RESOLUTION NO. R-28-14: Matter of authorizing the West Nile Virus expense reimbursement request.

Moved by Councilmember Steadman to approve Resolution No. R-28-14.

Seconded by Councilmember Blanchard.

Ayes: Terbrack, Baker, Blanchard, Edgar, Kideckel, Steadman, and O'Dwyer

Nays: None

Motion Approved.

Public Works Director Derrick Schueller gave a brief summary to the City Council including the West Nile program and expenses.

MOTION NO. M-60-14: Matter of awarding the 2014-2016 rock salt bid to the Detroit Salt Company as administered by the City of Farmington Hills and MITN cooperative bid program.

Moved by Councilmember Kideckel to approve Motion No. M-60-14.

Seconded by Councilmember Edgar.

Ayes: Baker, Blanchard, Edgar, Kideckel, Steadman, Terbrack, and O'Dwyer

Nays: None

Motion Approved.

Public Works Director Derrick Schueller gave a brief summary to the City Council including bid process and prices.

MOTION NO. M-61-14: Matter of appointing various appointments to Boards and Commissions.

Moved by Councilmember Edgar to approve Motion No. M-61-14.

Seconded by Councilmember Kideckel.

Ayes: Blanchard, Edgar, Kideckel, Steadman, Terbrack, Baker, and O'Dwyer

Nays: None

Motion Approved.

WORK SESSION: Matter of discussing an ordinance amending Chapter 2 Administration, Article IV Finance, Division 2 Purchases, Contracts and Sales of the Berkley City Code to modify the City's Purchasing Procedures and Regulations.

Moved by Councilmember Blanchard to move to a Work Session.

Seconded by Councilmember Baker.

City Manager Jane gave a brief summary to the City Council including purchase amount and bid process.

City Attorney John gave a brief summary to the City Council including revisions to the eligibility of city employees in a bid process, purchasing ordinance waiver, lowest responsible bidder, renew contract without competitive bid, and cooperative purchasing.

COMMUNICATIONS:

COUNCILMEMBER EDGAR: encouraged citizens to visit the city website for updated information regarding the August 11th flooding event. She welcomed Joe Tangari to the Planning Commission. Councilmember Edgar expressed her excitement for the restaurant Coco Fairfield owned by Marty and Nicole Miller. She thanked the Public Safety Department and DPW staff for all their efforts during the flooding events.

COUNCILMEMBER KIDECKEL: thanked Parks and Recreation for making the Jaycee Jamboree a great success. He noted that Mark and Cindy Coon were interviewed by Channel 7 News during the Cruisefest. Councilmember Kideckel thanked Chairman Mark Coon, the committee, volunteers and parade participants for their involvement. He also thanked Public Works and Public Safety for their hard work during the Cruisefest. Councilmember Kideckel recognized Public Works, Public Safety, and City Administration for their follow up regarding the flood situation.

MAYOR PRO TEM TERBRACK: explained that the timing of the Dream Cruise and Cruisefest may not be convenient in lieu of the flooding event but it was planned over the course of the year. He thanked Mark and Cindy Coon, the committee, Public Safety and Public Works for their tremendous work. Mayor Pro Tem Terbrack appreciates the residents for their communication and valid concerns. He agreed with the Mayor that communication is critical during the flood event. He invited the community to upcoming Parks and Recreation events on Saturday, August 23rd is the Family Movie Night at 6 p.m. and on Tuesday, August 26th is the Ice Cream Social at 6:30 p.m. Mayor Pro Tem Terbrack wished all the students a great school year.

COUNCILMEMBER BAKER: read a quote from American Entertainer Daryn Kagan, "Bad things do happen in the world like war, natural disaster, and disease. But out of those situations always arise stories of ordinary people doing extraordinary things." It resonated with the stories shared of people helping out in the community. He read a quote from the 1967 film Cool Hand Luke, "Failure to communicate is spreading." We cannot take communication for granted and people need to be heard during these emotional times. Councilmember Baker recognized the Public Works, Public Safety and Library staff for involvement in the flood events. He concluded with a Historical Committee perspective, "What story will we tell about our city? How will we look back on this?"

COUNCILMEMBER STEADMAN: encouraged residents to submit their claim forms that are available on the city website and at the City Hall. This information can be helpful for the city to address with the State of Michigan, Oakland County and the Federal Emergency Management Agency (FEMA). She thanked Mark and Cindy Coon for doing a wonderful job for the community. Councilmember Steadman recognized the Public Safety, Public Works and City Administration for all their efforts during the flood event.

COUNCILMEMBER BLANCHARD: gave an update including Public Safety receiving six hundred calls in four hours from people needing assistance, the City of Oak Park emergency calls received by Berkley's Dispatch, and North Detroit emergency calls rerouted back to the appropriate location. He thanked Public Safety and Public Works for making the Berkley residents a priority. Councilmember Blanchard recognized Mark and Cindy Coon for a great job during CruiseFest. He expressed his appreciation for the volunteers during CruiseFest and Dream Cruise this includes the Michigan State Police, State Police Bomb Squad, Oakland County Sheriff's Department, Oakland County Hazmat Unit, and bomb dogs from the Highland Park Team. Councilmember Blanchard invited everyone to The Chamber of Commerce Pub Crawl on Thursday, August 21st from 5:30 p.m. to 11:30 p.m., more information is available at berkleychamber.com/events/pub-crawl.

CITY MANAGER BAISS-DESSA: advised residents they may call the Communications Department at (248) 658-3330 by selecting option 2 or visit the city website at www.berkleymich.org for updates. This information will be available on Facebook and through email blast. She thanked City Administration, Mayor O'Dwyer and City Council for their involvement. City Manager Bais-DiSessa recognized all the volunteers during the CruiseFest and Dream Cruise for all their hard work.

FINANCE DIRECTOR SABUDA: had no comments this evening.

CITY ATTORNEY STARAN: gave an update on the valet parking ordinance which has been prepared and undergoing review by staff. It will be coming before council in the future as a Work Session. He gave an update on the Proposed Charter Amendment by initiative petition regarding marijuana and it will be voted on in the November General Election. The Attorney General reported the proposal does not limit Public Safety Officer who is obligated to enforce state criminal law and the ballot language is considered inaccurate conflicting with state law.

MAYOR O'DWYER: agreed that constant communication is key, the collegiate cooperation has been impressive and the character of people in the community will triumph.

ADJOURNMENT

Motion by Councilmember Kideckel to adjourn the regular meeting at 9:30 p.m.

Seconded by Councilmember Baker.

Ayes: Edgar, Kideckel, Steadman, Terbrack, Baker, Blanchard, and O'Dwyer

Nays: None